



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Joe Zapata

**File:** B-239729

**Date:** June 6, 1990

Joe Zapata, for the protester.  
Lester Edelman, Esq., and Linda Selinger, Esq., Army Corps of Engineers, for the agency.  
Christina Sklarew, Esq., and Michael R. Golden, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

### DIGEST

Protest is dismissed where protester does not identify itself as representing any bidder under the solicitation or otherwise explain its interest, and no bid was submitted in the protester's name.

### DECISION

Joe Zapata protests that the low bidder under the Army Corps of Engineers invitation for bids (IFB) No. DACW05-90-B-0030 had knowledge of the government estimate for the solicitation, providing the company an unfair competitive advantage.

The Corps of Engineers advises that no bid was submitted under the protester's name, and that the agency has no knowledge of the protester's interest in the procurement.

Under the Competition in Contracting Act of 1984 (CICA), 31 U.S.C. § 3551 (1988), and our Bid Protest Regulations, 4 C.F.R. § 21.1(a) (1990), a party must be "interested" in order to have its protest considered by our Office. CICA and our Bid Protest Regulations define an interested party as "an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract." 31 U.S.C. § 3551(2) (1988); 4 C.F.R. § 21.0(a).

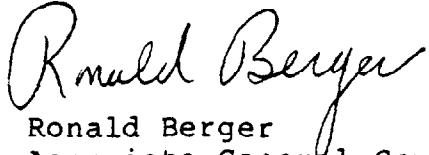
Here, the protester has given no information that would establish its status as a party with the requisite interest.

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*M. Sklarew*

in the procurement. Moreover, the agency advises that it was unable to contact the protester by telephone or by visiting the address listed on the protest submission, and thus does not even have enough information to enable it to gather any additional information about the protester.

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger". The signature is written in dark ink and is positioned above the printed name and title.

Ronald Berger  
Associate General Counsel